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GREENBERG TRAURIG LLP (LA) 2450 COLORADO AVENUE, SUITE 400E INTELLECTUAL PROPERTY DEPARTMENT SANTA MONICA, CA 90404	AVELLINO, JOSEPH E

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *17 May 2007*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-111* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-111* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. *herewith* .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-32, 34-63, 65-111 are presented for examination. Claims 1, 63, 80, and 83-85 being independent.

2.   In response to the Interview Summary, dated October 9, 2007, and mailed herewith, the Office withdraws the finality of the previous Office Action.

Double Patenting – Terminal Disclaimer

3.   The terminal disclaimer filed on January 30, 2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Patents 7,020,701, 6,826,607, and 6,832,251 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

4.   Claims 86-89 when combined, and claim 93 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

5.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-3, 11-12, 14, 16, 18, 21, 28-30, 32, 33, 36, 42-47, 50-53, 55-61, 80-83,

92, and 94-111 are rejected under 35 U.S.C. 103(a) as being anticipated by Clare et al.

(USPN 6,414,955) (hereinafter Clare) in view of Iyengar et al. ("Information Routing and

Reliability Issues in Distributed Sensor Networks" IEEE, 1992) (Hereinafter Iyengar).

6.   Referring to claim 1, Clare discloses a sensor network comprising a plurality of

network elements including:

at least one node (Figures 1-10) coupled among a monitored environment (col. 6,

lines 10-30) and at least one client computer (the Office takes the term "client computer"

to be broadly construed as "any node which is accessible by a user of the system") (col.

14, lines 12-34),

wherein functions of the at least one node are remotely controllable using the at

least one client computer (col. 14-lines 12-34; col. 15, lines 13-16),

wherein the at least one node provides, after the plurality of network elements

are self-assembled into a multi-cluster network (i.e. "after the communicating nodes and

the interfering nodes have been identified") node information including node resource

cost (i.e. network self-organization and routing) and message priority (i.e.

"characteristics and traffic") to the plurality of network elements (col. 4, lines 56-67; col.

15, lines 10-24 and 43-56),

wherein the data processing is distributed through the sensor network including

at least one of the elements other than the client computer (i.e. "the new node is

informed of the local network traffic, routing, and communication schedule") in response
to the node information (col. 4, line 58 to col. 5, line 2; col. 18, lines 35-64).

Clare does not specifically disclose that data processing other than topology
setup or addition of a node is distributed through the sensor network. In analogous art,
Iyengar discloses another distributed sensor network (DSN) (e.g. abstract) which
distributes data to be processed by other data processing units (i.e. "each sensor acts
as a knowledge source and communicates to some or all other nodes in the network, to
initiate the inference process") (p. 2, col. 1, first paragraph). It would have been obvious
to one of ordinary skill in the art to combine the teaching of Iyengar with Clare in order
to provide an efficient method of data propagation through the network of Clare in order
to take into account link/node failures and their effects on network delay as supported
by Iyengar (e.g. abstract).

7.   Referring to claim 2, Clare discloses the at least one node includes sensing,
processing, communications, and storage devices supporting a plurality of processing
and protocol layers (col. 19, line 29 to col. 21, line 41).

8.   Referring to claim 3, Clare discloses the sensor network supports wireless
communications (e.g. abstract).

9.   Referring to claim 11, Clare discloses at least one local user is coupled to the at
least one node (col. 14, lines 12-34).

10. Referring to claim 12, Clare discloses at least one redundant information pathway is established among the plurality of network elements (Figure 3).

11. Referring to claim 14, Clare discloses the plurality of node types includes at least one node of a first type (user node) and at least one node of a second type (sensor node) (Figure 14; col. 14, lines 12-34);

12. Referring to claim 16, Clare discloses the plurality of network elements automatically organize in response to the node information, wherein the automatic organizing comprises automatically controlling data transfer, processing and storage within the network (col. 6, line 35 to col. 18, line 1).

13. Referring to claim 18, Clare discloses the data processing is controlled using at least one processing hierarchy, controlling communications among the plurality of network elements (col. 15, lines 10-24).

14. Referring to claim 21, Clare discloses the functions of the at least one node include data acquisition (col. 15, lines 10-15).

15.   Referring to claim 28, Clare discloses controlling data processing and data transmission in response to a decision probability of a detected event (col. 15, lines 10-15).

16.   Referring to claim 29, Clare discloses the at least one node includes at least one seismic sensor (col. 19, lines 30-43).

17.   Referring to claim 30, Clare-Iyengar discloses the invention substantively as described in claim 29. Clare-Iyengar does not specifically state the one sensor is external to the one node, however "Official Notice" is taken that both the concept and advantages of providing for an external sensor to the node is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include an external sensor to provide easy accessibility to the sensor by a repairman, facilitating the ease of future upgrades or replacements.

18.   Referring to claim 32, Clare discloses the plurality of network elements are self assembling, wherein search and acquisition modes of the node search for participating elements (e.g. abstract).

19.   Referring to claim 33, Clare discloses the plurality of network elements are self-assembled into a multi-cluster network (i.e. defining neighbor nodes such as communicating neighbors and interfering neighbors) (col. 6, lines 35-62).

20.   Referring to claim 36, Clare discloses synchronism is established among the plurality of network elements using the assembly packets

21.   Referring to claim 42, Clare discloses data is collected by the node and at least one operation is performed on the data including energy detection (col. 20, lines 15-56).

22.   Referring to claim 43, wherein the routing, processing, storing and fusing are performed in response to at least one result of the energy detection (col. 20, lines 15-56).

23.   Referring to claim 44, Clare discloses the routing comprises selecting a data type for routing, selecting one of the plurality of elements to route the data, selecting a route, and routing the data (i.e. a sensor device transmitting data to a user node for display) (col. 18, lines 35-65).

24.   Referring to claim 45, Clare-Iyengar discloses the invention substantively as described in claim 44. Clare-Iyengar does not specifically disclose transmitting data in the message as a code in a codebook. "Official Notice" is taken that both the concepts and advantages of providing for transmitting codes in messages is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include transmitting codes from a codebook in messages to the system of Clare to

conserve bandwidth in a low-power system, thereby conserving available power for the network.

25. Referring to claim 46, Clare discloses the processing comprises selecting at least one data type for processing, selecting at least one processing type, selecting at least one of the plurality of network elements to perform the selected at least one processing type, and transferring the selected at least one data type to the selected at least one of the plurality of network elements using at least one route through the sensor network (col. 18, lines 35-64).

26. Referring to claim 47, Clare discloses the selection of at least one processing type comprises determining at least one probability (i.e. decision-making) associated with a detected event (monitored environment settings) and selecting at least one processing type in response to the at least one probability (i.e. if the decision is true, do something different than if the decision is false) (Figure 15; col. 18, lines 35-64).

27. Referring to claim 52, Clare discloses the at least one node includes a bi-static sensor and a generator for producing at least one energy beam that is radiated from the plurality of nodes, wherein the at least one energy beam comprises a combined probe beam and a signal code for beam intensity control and propagation management, wherein the at least one energy beam is modulated in time to provide an identifying

code corresponding ot a source node, wherein the at least one energy beam is acoustic (col. 22, lines 47 to 67).

28.   Referring to claim 53, Clare discloses determining a position of the at least one node (col. 22, lines 35-67).

29.   Referring to claim 55, Clare-Iyengar discloses the invention substantively as described in claim 1. Clare-Iyengar does not specifically state protecting communications among the elements using a public key security protocol. "Official Notice" is taken that both the concept and advantages of providing for public key encryption in wireless devices is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include public key encryption to the system of Clare to provide a basic level of security, thereby reducing the occurrences of eavesdropping by hackers and malcontents.

30.   Referring to claim 56, Clare discloses using a GPS device providing location and time information (col. 7, lines 58-67).

31.   Referring to claim 57, Clare discloses the node has a communication modem (i.e. a wireless antenna) (Figure 14 and related portions of the disclosure).

32.   Referring to claim 58, Clare discloses communications uses multihop

communications (Figures 1-10).

33. ᴵ Referring to claim 59, Clare discloses the monitored environment is an outdoor

area (col. 7, lines 58-67).

34.   Referring to claim 60, Clare discloses supporting short range and long range

communications (Figure 1).

35.   Referring to claim 61, Clare discloses the node is contained in a sealed and

waterproof system (Figure 14, and related portions of the disclosure).

36.   Claims 50, 51, 80-83, 92, 94-111 are rejected for similar reasons as stated above.

Furthermore Clare discloses that a client node can be construed as the "at least one

node", wherein it is inherent that there would be a plurality of APIs able to control

communication devices, otherwise the device would be unable to communicate via the

network.

       Claims 4-10, 13, 17, 19, 25, 38-41, 48-49, 62-79, 84-85 and 90 are rejected

under 35 U.S.C. 103(a) as being unpatentable over Clare-Iyengar in view of Myer et al.

(USPN 6,615,088) (hereinafter Myer).

37.   Referring to claim 4, Clare-Iyengar discloses the invention substantively as

described in claim 1. Clare-Iyengar does not specifically disclose the network includes

a gateway, a server, and at least one hybrid wired and wireless network. Myer

discloses another sensor network which includes at least one gateway 12, at least one

server 25, and at least one hybrid wireless and wired network (Figure 1; col. 2, lines 52-

67). It would be obvious to a person of ordinary skill in the art at the time the invention

was made to combine the teaching of Myer with Clare-Iyengar to facilitate device

configuration in a network as supported by Myer (col. 1, lines 26-30).

38.   Referring to claims 5 and 6, Clare-Iyengar discloses the invention substantively

as described in claim 1. Clare-Iyengar does not disclose the at least one gateway

performs management of communications with at least one remote user. Myer

discloses the at least one gateway node (control network portal 12) performs

management of communications with at least one remote user (col. 4, lines 28-50). It

would be obvious to a person of ordinary skill in the art at the time the invention was

made to combine the teaching of Myer with Clare-Iyengar to facilitate device

configuration in a network as supported by Myer (col. 1, lines 26-30).

39.   Referring to claim 8, Clare-Iyengar discloses the invention substantively as

described in claim 1. Clare-Iyengar does not specifically disclose the network is the

Internet. Myer discloses the network is the Internet 22, (Figure 1). It would be obvious

to a person of ordinary skill in the art at the time the invention was made to combine the

teaching of Myer with Clare-Iyengar to facilitate device configuration in a network as supported by Myer (col. 1, lines 26-30).

40.   Referring to claim 9, Clare-Iyengar discloses the invention substantively as described in claim 1. Clare-Iyengar does not disclose providing remote accessibility using WWW-based tools to data, code, management, and security functions. Myer discloses providing remote accessibility using WWW-based tools to data, code, management, and security functions (Figure 2). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Myer with Clare-Iyengar to facilitate device configuration in a network as supported by Myer (col. 1, lines 26-30).

41.   Referring to claim 10, Clare-Iyengar discloses the invention substantively as described in claim 1. Clare-Iyengar does not specifically disclose that the gateway is coupled to the network elements, wherein the elements include repeaters and interrogators. Meyer discloses coupling a gateway with a plurality of network elements (Figure 1) and it is well known that repeaters and interrogators exist in the network (i.e. repeaters forward signals over long distances >100m which is necessary for the Ethernet protocol). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Myer with Clare-Iyengar to facilitate device configuration in a network as supported by Myer (col. 1, lines 26-30).

42.　　Referring to claim 13, Clare-Iyengar discloses the invention substantively as described in claim 1. Clare-Iyengar does not disclose supporting a plurality of levels of synchronization among different subsets of the plurality of network elements. Myer discloses that the master controller 36 can periodically poll each appliance 37-39 in order to obtain the status of the device (col. 3, lines 15-22). Furthermore, it is well known that polling periods can be user defined to utilize slow status-changing devices (light switches are slow to change status compared to acoustic sensors in a room, thereby requiring a different level of synchronization for the light switch than for the acoustic sensor). By this rationale it would have been obvious to one of ordinary skill in the art to modify the teachings of Clare-Iyengar and Myer to provide for multiple levels of synchronization to reduce wasted bandwidth on status updates for devices which have a slow status change interval.

43.　　Referring to claims 17 and 84, Clare-Iyengar discloses the invention substantively as described in claim 1. Clare-Iyengar does not disclose supporting a plurality of levels of synchronization among different subsets of the plurality of network elements. Myer discloses that the master controller 36 can periodically poll each appliance 37-39 in order to obtain the status of the device (col. 3, lines 15-22). Furthermore, it is well known that polling periods can be user defined to utilize slow status-changing devices (light switches are slow to change status compared to acoustic sensors in a room, thereby requiring a different level of synchronization for the light switch than for the acoustic sensor). By this rationale it would have been obvious to

one of ordinary skill in the art to modify the teachings of Clare-Iyengar and Myer to

provide for multiple levels of synchronization to reduce wasted bandwidth on status

updates for devices which have a slow status change interval.

44. Referring to claims 19, 48, 49, and 85, Clare-Iyengar discloses the invention

substantively as described in claim 18. Clare-Iyengar does not specifically disclose

aggregating data processed in a plurality of nodes for further processing by other

nodes. Myer discloses polling devices by the master controller 36 in order to monitor

the devices status, which can then be sent to a user interface device for display (the

device status reports collected by the master controller 36 must inherently be processed

by the client GUI device, or other node, in order for it to be displayable to the user) (col.

3, lines 15-25). It would be obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teaching of Myer with Clare-Iyengar to facilitate

device configuration in a network as supported by Myer (col. 1, lines 26-30).

45. Referring to claim 38, Clare-Iyengar discloses the invention substantively as

described in claim 1. Clare-Iyengar does not disclose comprising at least one database

separate from the plurality of network elements. Myer discloses comprising at least one

database separate from the plurality of network elements (col. 3, lines 45-50). It would

be obvious to a person of ordinary skill in the art at the time the invention was made to

combine the teaching of Myer with Clare-Iyengar to facilitate device configuration in a

network as supported by Myer (col. 1, lines 26-30).

46.   Referring to claim 39, Clare-Iyengar in view of Myer disclose the invention

substantively as described in claim 38. Clare-Iyengar in view of Myer do not specifically

disclose that cooperative sensing uses information in the database to provide non-local

event correlation. However, it is well known that multiple sensors are used to monitor

multiple characteristics of a system (two sensors in a CPU measuring voltage and

thermal temperature to ensure that a chip is operating efficiently). "Official Notice" is

taken that both the concepts and advantages of providing for cooperative sensing is

well known and expected in the art. It would have been obvious to one of ordinary skill

in the art to include cooperative sensing to the system of Clare-Iyengar and Myer to

allow numerous physical characteristics to be monitored simultaneously to provide a

more detailed description of the monitored area.

47.   Referring to claim 40, Clare-Iyengar in view of Myer discloses the invention

substantively as described in claim 29. Claire further discloses data-driven alerting

methods that recognize conditions on user-defined data relationships (i.e. user profiles)

including coincidence in signal arrival, node power status, and network communication

status (col. 18, lines 35-64).

48.   Referring to claim 41, Clare-Iyengar in view of Myer discloses the invention

substantively as described in claim 29. Although neither Clare-Iyengar nor Myer

specifically state implementing the database in a small footprint database and in a SQL

database systems at a level of at least one server, it is well known that these features

exist and would have been obvious to one of ordinary skill in the art to incorporate a

small footprint database to the invention of Clare-Iyengar and Myer to provide the

productivity and reliability that a SQL database allows, while still keeping information

search and retrieval times to a minimum.

49.   Claims 7, 25, 62-79, 90 are rejected for similar reasons as stated above.

Furthermore Claim 62 recites limitations which are well known and expected in the art

(the concept of reusing code is the basis for object-oriented programming, that code

may be imported and reused in different situations) and would be considered obvious to

one of ordinary skill in the art. Claims 63-79 recite limitations previously discussed and

are further discussed in view of the other art below.

Claims 15, 54, 101 and 102 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Clare-Iyengar in view of Davis et al. (USPN 5,742,829) (hereinafter

Davis).

50.   Clare-Iyengar discloses the invention substantively as described in claim 1.

Clare does not disclose distributing code and data anticipated for future use through the

sensor network using low priority messages, wherein the code and the data are

downloadable from a storage device. Davis discloses a network wherein distributing

code and data anticipated for future use through the sensor network using low priority

messages (i.e. in the background), wherein the code and the data are downloadable

from a storage device (it is inherent that the code/data are downloaded from a storage

device) (col. 6, lines 27-65). It would be obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teaching of Davis with Clare-Iyengar to

facilitate the installation of software on heterogeneous clients on the distributed network,

thereby reducing installation costs and reducing downtime as supported by Davis (col.

2, lines 10-15).

51.   Claims 101-102 are rejected for similar reasons as stated above.

        Claims 19, 20, and 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Clare-Iyengar in view of Makansi et al. (US 2002/0154631)

(hereinafter Makansi).

52.   Clare-Iyengar discloses the invention substantively as described in claim 1.

Furthermore it is an inherent feature of Clare-Iyengar to aggregate the data to be

transmitted to a user to conserve energy by reducing the amount of packets and saving

bandwidth. Clare-Iyengar does not disclose the message packets include decoy

packets wherein information to be transferred is impressed on random message

packets to provide communication privacy. Makansi discloses message packets

include decoy packets wherein information to be transferred is impressed on random

message packets to provide communication privacy on a network (e.g. abstract). It

would be obvious to a person of ordinary skill in the art at the time the invention was

made to combine the teaching of Makansi with Clare-Iyengar to provide messages to be

transmitted in ways such that potential adversaries are given access to a relatively little

amount of information as supported by Makansi (p. 1 ¶ 8).

53.   Claim 91 is rejected for similar reasons as stated above.

Claims 9, 22-24, 27, and 37 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Clare-Iyengar in view of Humpleman et al. (USPN 6,546,419)

(hereinafter Humpleman).

54.   Referring to claim 9, Clare-Iyengar discloses the invention substantively as

described in claim 1. Clare-Iyengar does not disclose having the node of the first type

containing a preprocessor with a state machine, an API and at least one sensor.

Humpleman discloses a home sensor network wherein a first node 14 of a first type

(Device A) contains a preprocessor with a state machine (it is inherent that a standard

microprocessor emulates the effects of a state machine during its pipelining of

instructions, fetch, decode, execute, store, etc.), an API (INTERFACE-A.xml), and at

least one sensor (h/w) (e.g. abstract; Figure 16; col. 22, lines 52-58). It would be

obvious to a person of ordinary skill in the art at the time the invention was made to

combine the teaching of Clare-Iyengar with Humpleman to be able to control a plurality

of diverse devices having different capabilities to communicate in order to accomplish

tasks or to provide a service as supported by Humpleman (col. 2, lines 38-45).

55.   Referring to claim 22, Clare-Iyengar discloses the invention substantively as

described in claim 1. Clare-Iyengar does not disclose having the node of the second

type including at lest one preprocessor coupled to at lest one processor and a plurality

of API's, wherein the plurality of API's are coupled to control at lest one device.

Humpleman discloses a home sensor network wherein the node 14 of the second type

(device B), contains at least one preprocessor coupled to at least one processor (it is

well known that a server computer has multiple microprocessors embedded within the

server which are either directly or indirectly coupled together), a plurality of API's

(INTERFACE-A.XML and INTERFACE-B.XML), wherein the plurality of API's are

coupled to control at least one sensor device (i.e. smoke detectors) (e.g. abstract;

Figure 16; col. 22, lines 52-58). It would be obvious to a person of ordinary skill in the

art at the time the invention was made to combine the teaching of Clare-Iyengar with

Humpleman to be able to control a plurality of diverse devices having different

capabilities to communicate in order to accomplish tasks or to provide a service as

supported by Humpleman (col. 2, lines 38-45).

56.   Referring to claim 23, Clare-Iyengar discloses the invention substantively as

described in claim 1. Clare-Iyengar does not disclose layering the plurality of API's.

Humpleman discloses layering the plurality of API's in the device (Figure 19, reference

characters 72-92). It would be obvious to a person of ordinary skill in the art at the time

the invention was made to combine the teaching of Clare-Iyengar with Humpleman to

be able to control a plurality of diverse devices having different capabilities to

communicate in order to accomplish tasks or to provide a service as supported by

Humpleman (col. 2, lines 38-45).

57.   Referring to claim 26, Clare discloses a preprocessor (ADC) performs data

acquisition, and the processor (DSP) performs signal identification (col. 18, lines 35-64).

58.   Referring to claim 24, Clare-Iyengar discloses the invention substantively as

described in claim 1. Clare further discloses enabling distributed resource management

by providing network resource information and message priority information to the

plurality of network elements (col. 14, lines 12-34; col. 15, lines 10-25). Clare-Iyengar

does not specifically disclose enabling distributed resource management through the

plurality of API's. However Humpleman discloses using the API's to enable distributed

resource management (i.e. enabling services to be used via the API's) (Figures 15-19

and pertinent portions of the disclosure). It would be obvious to a person of ordinary

skill in the art at the time the invention was made to combine the teaching of Clare-

Iyengar with Humpleman to be able to control a plurality of diverse devices having

different capabilities to communicate in order to accomplish tasks or to provide a service

as supported by Humpleman (col. 2, lines 38-45).

59.　Referring to claim 27, Clare discloses the processor performs reconfiguration and signal identification (e.g. abstract).

60.　Referring to claim 37, Clare-Iyengar discloses the invention substantively as described in claim 1. Clare-Iyengar does not disclose managing the plurality of network elements as a distributed database using a distributed resource management protocol, wherein the plurality of network elements are reused among different applications, wherein the network elements are used in multiple classes of applications. Humpleman discloses managing the plurality of network elements as a distributed database using a distributed resource management protocol, wherein the plurality of network elements are reused among different applications, wherein the network elements are used in multiple classes of applications (the servers and clients can reside on the same node and execute both client and server applications) (col. 6, lines 18-34). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Clare-Iyengar with Humpleman to be able to control a plurality of diverse devices having different capabilities to communicate in order to accomplish tasks or to provide a service as supported by Humpleman (col. 2, lines 38-45).

Response to Arguments

61.　Applicant's arguments filed May 17, 2007 have been fully considered and are persuasive, however new grounds of rejection have been presented.
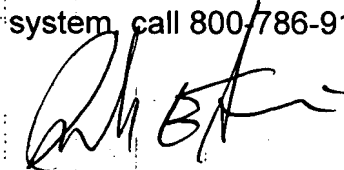
Conclusion

62.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800/786-9199 (IN USA OR CANADA) or 571-272-1000.

Joseph E. Avellino, Examiner
October 9, 2007